



UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

UNITED STATES OF AMERICA

v.

CASE NO. 8:07-Cr-352-T-17MAP

KARL HENRY REHBERG

PLEA AGREEMENT

Pursuant to Fed. R. Crim. P. 11(c), the United States of America, by Robert E. O'Neill, United States Attorney for the Middle District of Florida, and the defendant, KARL HENRY REHBERG, and the attorney for the defendant, Adam Allen, Assistant Federal Public Defender, mutually agree as follows:

A. **Particularized Terms**

1. **Count(s) Pleading To**

The defendant shall enter a plea of guilty to Count One of the Indictment. Count One charges the defendant with conspiracy to commit an offense against the United States, in violation of 18 U.S.C. § 371.

2. **Maximum Penalties**

Count One carries a maximum sentence of five (5) years imprisonment, a fine of \$250,000, a term of supervised release of not more than three (3) years, and a special assessment of \$50 per felony count for offenses committed prior to April 24, 1996, \$100 per felony count thereafter; for organizations the amounts are "\$200" and

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"\$400" respectively, said special assessment to be due on the date of sentencing. With respect to certain offenses, the Court shall order the defendant to make restitution to any victim of the offense(s), and with respect to other offenses, the Court may order the defendant to make restitution to any victim of the offense(s), or to the community, as set forth below.

3. Elements of the Offense(s)

The defendant acknowledges understanding the nature and elements of the offense(s) with which defendant has been charged and to which defendant is pleading guilty. The elements of Count One are:

First: Two or more persons, in some way or manner came to a mutual understanding to try to accomplish a common and unlawful plan, as charged in the indictment;

Second: The defendant, knowing the unlawful purpose of the plan, willfully joined it;

Third: One of the conspirators, during the existence of the conspiracy knowingly committed at least one of the methods, or overt acts, described in the indictment; and

Fourth: The overt act was knowingly committed at about the time alleged in an effort to carry out or accomplish some object of the conspiracy.

4. No Further Charges

If the Court accepts this plea agreement, the United States Attorney's Office for the Middle District of Florida agrees not to charge defendant with committing any other federal criminal offenses known to the United States Attorney's Office at the time of the execution of this agreement, related to the conduct giving rise to this plea agreement.

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5. Restitution to Persons Other Than the Victim
of the Offense of Conviction - Agreed Upon Amount

Pursuant to 18 U.S.C. §§ 3663(a)(3) and/or 3663A(a)(3), defendant agrees to make restitution to NOPEC Shareholders in the amount of approximately \$20.6 million, to be paid jointly and severally with Karl Rehberg. Further details regarding payment of restitution will be provided prior to sentencing.

6. Guidelines Sentence – Joint Recommendation

Pursuant to the Fed. R. Crim. P. 11(c)(1)(B), the United States and the defendant agree to jointly recommend to the Court that the defendant be sentenced within the defendant's applicable guideline range as determined by the Court pursuant to the United States Sentencing Guidelines, as adjusted by any departure the United States has agreed to recommend in this plea agreement. The parties understand that such a joint recommendation is not binding on the Court and that, if it is not accepted by this Court, neither the United States nor the defendant will be allowed to withdraw from the plea agreement, and the defendant will not be allowed to withdraw from the plea of guilty.

7. Obstruction of Justice – Joint Recommendation

Pursuant to Fed. R. Crim. P. 11(c)(1)(B), the United States and the defendant agree to jointly recommend to the Court that the defendant's offense level should be increased by two (2) levels pursuant to USSG §3C1.1 because the defendant willfully obstructed or impeded, or attempted to obstruct or impede, the administration of justice with respect to the investigation and prosecution of the instant offense and the

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obstructive conduct related to the offense of conviction, relevant conduct, and a closely related offense.

8. Acceptance of Responsibility - Three Levels

At the time of sentencing, and in the event that no adverse information is received suggesting such a recommendation to be unwarranted, the United States will recommend to the Court that the defendant receive a two-level downward adjustment for acceptance of responsibility, pursuant to USSG §3E1.1(a). The defendant understands that this recommendation or request is not binding on the Court, and if not accepted by the Court, the defendant will not be allowed to withdraw from the plea.

Further, at the time of sentencing, if the defendant's offense level prior to operation of subsection (a) is level 16 or greater, and if the defendant complies with the provisions of USSG §3E1.1(b), the United States agrees to file a motion pursuant to USSG §3E1.1(b) for a downward adjustment of one additional level. The defendant understands that the determination as to whether the defendant has qualified for a downward adjustment of a third level for acceptance of responsibility rests solely with the United States Attorney for the Middle District of Florida, and the defendant agrees that the defendant cannot and will not challenge that determination, whether by appeal, collateral attack, or otherwise.

9. Role in Offense

The United States recommends to the Court that the defendant receive a four-level upward adjustment, pursuant to USSG §3B1.1, regarding the defendant's role in the offense. The defendant understands that this recommendation or request is not

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binding on the Court, and if not accepted by the Court, the defendant will not be allowed to withdraw from the plea.

10. Low End

At the time of sentencing, and in the event that no adverse information is received suggesting such a recommendation to be unwarranted, the United States will not oppose the defendant's request to the Court that the defendant receive a sentence at the low end of the applicable guideline range, as calculated by the Court. The defendant understands that this recommendation or request is not binding on the Court, and if not accepted by the Court, the defendant will not be allowed to withdraw from the plea.

11. ~~No Downward Departure Joint Recommendation~~

~~Pursuant to Fed. R. Crim. P. 41(c)(1)(B), the United States and the defendant agree to jointly recommend to the Court that in sentencing the defendant the Court not depart downward from the applicable sentencing guideline range, and the United States and the defendant further agree that no such downward departure would be appropriate in this case.~~

12. Cooperation - Substantial Assistance to be Considered

Defendant agrees to cooperate fully with the United States in the investigation and prosecution of other persons, and to testify, subject to a prosecution for perjury or making a false statement, fully and truthfully before any federal court proceeding or federal grand jury in connection with the charges in this case and other matters, such cooperation to further include a full and complete disclosure of all relevant information, including production of any and all books, papers, documents, and

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other objects in defendant's possession or control, and to be reasonably available for interviews which the United States may require. If the cooperation is completed prior to sentencing, the government agrees to consider whether such cooperation qualifies as "substantial assistance" in accordance with the policy of the United States Attorney for the Middle District of Florida, warranting the filing of a motion at the time of sentencing recommending (1) a downward departure from the applicable guideline range pursuant to USSG §5K1.1, or (2) the imposition of a sentence below a statutory minimum, if any, pursuant to 18 U.S.C. § 3553(e), or (3) both. If the cooperation is completed subsequent to sentencing, the government agrees to consider whether such cooperation qualifies as "substantial assistance" in accordance with the policy of the United States Attorney for the Middle District of Florida, warranting the filing of a motion for a reduction of sentence within one year of the imposition of sentence pursuant to Fed. R. Crim. P. 35(b). In any case, the defendant understands that the determination as to whether "substantial assistance" has been provided or what type of motion related thereto will be filed, if any, rests solely with the United States Attorney for the Middle District of Florida, and the defendant agrees that defendant cannot and will not challenge that determination, whether by appeal, collateral attack, or otherwise.

13. Use of Information - Section 1B1.8

Pursuant to USSG §1B1.8(a), the United States agrees that no self-incriminating information which the defendant may provide during the course of defendant's cooperation and pursuant to this agreement shall be used in determining the applicable sentencing guideline range, subject to the restrictions and limitations set forth in USSG §1B1.8(b).

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14. Cooperation - Responsibilities of Parties

a. The government will make known to the Court and other relevant authorities the nature and extent of defendant's cooperation and any other mitigating circumstances indicative of the defendant's rehabilitative intent by assuming the fundamental civic duty of reporting crime. However, the defendant understands that the government can make no representation that the Court will impose a lesser sentence solely on account of, or in consideration of, such cooperation.

b. It is understood that should the defendant knowingly provide incomplete or untruthful testimony, statements, or information pursuant to this agreement, or should the defendant falsely implicate or incriminate any person, or should the defendant fail to voluntarily and unreservedly disclose and provide full, complete, truthful, and honest knowledge, information, and cooperation regarding any of the matters noted herein, the following conditions shall apply:

(1) The defendant may be prosecuted for any perjury or false declarations, if any, committed while testifying pursuant to this agreement, or for obstruction of justice.

(2) The United States may prosecute the defendant for the charges which are to be dismissed pursuant to this agreement, if any, and may either seek reinstatement of or refile such charges and prosecute the defendant thereon in the event such charges have been dismissed pursuant to this agreement. With regard to such charges, if any, which have been dismissed, the defendant, being fully aware of the nature of all such charges now pending in the instant case, and being further aware of defendant's rights, as to all felony charges pending in such cases (those offenses

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punishable by imprisonment for a term of over one year), to not be held to answer to said felony charges unless on a presentment or indictment of a grand jury, and further being aware that all such felony charges in the instant case have heretofore properly been returned by the indictment of a grand jury, does hereby agree to reinstatement of such charges by rescission of any order dismissing them or, alternatively, does hereby waive, in open court, prosecution by indictment and consents that the United States may proceed by information instead of by indictment with regard to any felony charges which may be dismissed in the instant case, pursuant to this plea agreement, and the defendant further agrees to waive the statute of limitations and any speedy trial claims on such charges.

(3) The United States may prosecute the defendant for any offenses set forth herein, if any, the prosecution of which in accordance with this agreement, the United States agrees to forego, and the defendant agrees to waive the statute of limitations and any speedy trial claims as to any such offenses.

(4) The government may use against the defendant the defendant's own admissions and statements and the information and books, papers, documents, and objects that the defendant has furnished in the course of the defendant's cooperation with the government.

(5) The defendant will not be permitted to withdraw the guilty pleas to those counts to which defendant hereby agrees to plead in the instant case but, in that event, defendant will be entitled to the sentencing limitations, if any, set forth in this plea agreement, with regard to those counts to which the defendant has pled; or

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in the alternative, at the option of the United States, the United States may move the Court to declare this entire plea agreement null and void.

15. Cooperation - Family Member

While defendant agrees to cooperate fully with the United States, the United States will not require defendant to testify against family members on direct examination at trial. However, defendant understands that it may be asked on cross-examination or rebuttal about the criminal activities of family members and understands and agrees to fully and truthfully answer any such questions.

16. Forfeiture of Assets

The defendant agrees to forfeit to the United States immediately and voluntarily any and all assets and property, or portions thereof, subject to forfeiture, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), whether in the possession or control of the United States or in the possession or control of the defendant or defendant's nominees. The assets to be forfeited specifically include, but are not limited to: a money judgment in the amount of \$20,600,000.00, which represents the amount of proceeds obtained by the conspiracy. The defendant agrees and consents to the forfeiture of these assets pursuant to any federal criminal, civil, and/or administrative forfeiture action. The defendant also hereby agrees that the forfeiture described herein is not excessive and, in any event, the defendant waives any constitutional claims that the defendant may have that the forfeiture constitutes an excessive fine.

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The defendant admits and agrees that the conduct described in the Factual Basis below provides a sufficient factual and statutory basis for the forfeiture of the money judgments sought by the government, and that the amount of the money judgment be made a part of and be included in the Judgment at sentencing.

The United States shall, at its option, be entitled to forfeiture of any other property (substitute assets) of the defendant up to the value of the forfeiture money judgment described above. Specifically, the defendant agrees that the United States may forfeit the approximately \$86,242.27 being held by the Office of the Comptroller, State of Florida, Abandoned Property Section, which constitutes the inheritance of KARL HENRY REHBERG from the estate of Hattie Louise Rehberg, as a substitute asset in partial satisfaction of the defendant's money judgment .

The defendant agrees to take whatever steps are necessary to pass clear title to the United States of any substitute assets which may be ordered in partial satisfaction of the money judgment. These steps include, but are not limited to, the surrender of title, the signing of a consent decree of forfeiture, and signing of any other documents necessary to effectuate such transfers.

Defendant further agrees to take all steps necessary to locate property and to pass title to the United States before the defendant's sentencing. To that end, defendant agrees to fully assist the government in the recovery and return to the United States of any assets, or portions thereof, as described above wherever located. The defendant agrees to make a full and complete disclosure of all assets over which defendant exercises control and those which are held or controlled by a nominee. The

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defendant further agrees to be polygraphed on the issue of assets, if it is deemed necessary by the United States.

This Court shall retain jurisdiction to settle any disputes arising from application of this clause. The defendant agrees that forfeiture of substitute assets as authorized herein shall not be deemed an alteration of the defendant's sentence.

Forfeiture of the defendant's assets shall not be treated as satisfaction of any fine, restitution, cost of imprisonment, or any other penalty this Court may impose upon the defendant in addition to forfeiture.

B. Standard Terms and Conditions

1. Restitution, Special Assessment and Fine

The defendant understands and agrees that the Court, in addition to or in lieu of any other penalty, shall order the defendant to make restitution to any victim of the offense(s), pursuant to 18 U.S.C. § 3663A, for all offenses described in 18 U.S.C. § 3663A(c)(1) (limited to offenses committed on or after April 24, 1996); and the Court may order the defendant to make restitution to any victim of the offense(s), pursuant to 18 U.S.C. § 3663 (limited to offenses committed on or after November 1, 1987) or § 3579, including restitution as to all counts charged, whether or not the defendant enters a plea of guilty to such counts, and whether or not such counts are dismissed pursuant to this agreement. On each count to which a plea of guilty is entered, the Court shall impose a special assessment, to be payable to the Clerk's Office, United States District Court, and due on date of sentencing. The defendant understands that this agreement imposes no limitation as to fine.

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2. Supervised Release

The defendant understands that the offense(s) to which the defendant is pleading provide(s) for imposition of a term of supervised release upon release from imprisonment, and that, if the defendant should violate the conditions of release, the defendant would be subject to a further term of imprisonment.

3. Sentencing Information

The United States reserves its right and obligation to report to the Court and the United States Probation Office all information concerning the background, character, and conduct of the defendant, to provide relevant factual information, including the totality of the defendant's criminal activities, if any, not limited to the count(s) to which defendant pleads, to respond to comments made by the defendant or defendant's counsel, and to correct any misstatements or inaccuracies. The United States further reserves its right to make any recommendations it deems appropriate regarding the disposition of this case, subject to any limitations set forth herein, if any.

Pursuant to 18 U.S.C. § 3664(d)(3) and Fed. R. Crim. P. 32(d)(2)(A)(ii), the defendant agrees to complete and submit, upon execution of this plea agreement, an affidavit reflecting the defendant's financial condition. The defendant further agrees, and by the execution of this plea agreement, authorizes the United States Attorney's Office to provide to, and obtain from, the United States Probation Office or any victim named in an order of restitution, or any other source, the financial affidavit, any of the defendant's federal, state, and local tax returns, bank records and any other financial information concerning the defendant, for the purpose of making any recommendations

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to the Court and for collecting any assessments, fines, restitution, or forfeiture ordered by the Court.

4. Sentencing Recommendations

It is understood by the parties that the Court is neither a party to nor bound by this agreement. The Court may accept or reject the agreement, or defer a decision until it has had an opportunity to consider the presentence report prepared by the United States Probation Office. The defendant understands and acknowledges that, although the parties are permitted to make recommendations and present arguments to the Court, the sentence will be determined solely by the Court, with the assistance of the United States Probation Office. Defendant further understands and acknowledges that any discussions between defendant or defendant's attorney and the attorney or other agents for the government regarding any recommendations by the government are not binding on the Court and that, should any recommendations be rejected, defendant will not be permitted to withdraw defendant's plea pursuant to this plea agreement. The government expressly reserves the right to support and defend any decision that the Court may make with regard to the defendant's sentence, whether or not such decision is consistent with the government's recommendations contained herein.

5. Defendant's Waiver of Right to Appeal and
Right to Collaterally Challenge the Sentence

The defendant agrees that this Court has jurisdiction and authority to impose any sentence up to the statutory maximum and expressly waives the right to appeal defendant's sentence or to challenge it collaterally on any ground, including the

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ground that the Court erred in determining the applicable guidelines range pursuant to the United States Sentencing Guidelines, except (a) the ground that the sentence exceeds the defendant's applicable guidelines range as determined by the Court pursuant to the United States Sentencing Guidelines; (b) the ground that the sentence exceeds the statutory maximum penalty; or (c) the ground that the sentence violates the Eighth Amendment to the Constitution; provided, however, that if the government exercises its right to appeal the sentence imposed, as authorized by Title 18, United States Code, Section 3742(b), then the defendant is released from his waiver and may appeal the sentence as authorized by Title 18, United States Code, Section 3742(a).

6. Middle District of Florida Agreement

It is further understood that this agreement is limited to the Office of the United States Attorney for the Middle District of Florida and cannot bind other federal, state, or local prosecuting authorities, although this office will bring defendant's cooperation, if any, to the attention of other prosecuting officers or others, if requested.

7. Filing of Agreement

This agreement shall be presented to the Court, in open court or in camera, in whole or in part, upon a showing of good cause, and filed in this cause, at the time of defendant's entry of a plea of guilty pursuant hereto.

8. Voluntariness

The defendant acknowledges that defendant is entering into this agreement and is pleading guilty freely and voluntarily without reliance upon any discussions between the attorney for the government and the defendant and defendant's attorney and without promise of benefit of any kind (other than the

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concessions contained herein), and without threats, force, intimidation, or coercion of any kind. The defendant further acknowledges defendant's understanding of the nature of the offense or offenses to which defendant is pleading guilty and the elements thereof, including the penalties provided by law, and defendant's complete satisfaction with the representation and advice received from defendant's undersigned counsel (if any). The defendant also understands that defendant has the right to plead not guilty or to persist in that plea if it has already been made, and that defendant has the right to be tried by a jury with the assistance of counsel, the right to confront and cross-examine the witnesses against defendant, the right against compulsory self-incrimination, and the right to compulsory process for the attendance of witnesses to testify in defendant's defense; but, by pleading guilty, defendant waives or gives up those rights and there will be no trial. The defendant further understands that if defendant pleads guilty, the Court may ask defendant questions about the offense or offenses to which defendant pleaded, and if defendant answers those questions under oath, on the record, and in the presence of counsel (if any), defendant's answers may later be used against defendant in a prosecution for perjury or false statement. The defendant also understands that defendant will be adjudicated guilty of the offenses to which defendant has pleaded and, if any of such offenses are felonies, may thereby be deprived of certain rights, such as the right to vote, to hold public office, to serve on a jury, or to have possession of firearms.

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9. Factual Basis

Defendant is pleading guilty because defendant is in fact guilty. The defendant certifies that defendant does hereby admit that the facts set forth below are true, and were this case to go to trial, the United States would be able to prove those specific facts and others beyond a reasonable doubt:

FACTS

A. On or about April 24, 1991, defendant KARL HENRY REHBERG and others formed NOPEC Corporation, a corporation organized under the laws of the State of Florida, with a plant located in Lakeland, Florida. NOPEC purported to be in the business of creating alternative fuels, specifically, bio-diesel produced from waste cooking oil. NOPEC was owned and controlled by defendants KARL HENRY REHBERG and Helen Rehberg.

B. Defendant KARL HENRY REHBERG was a majority shareholder of NOPEC and President of NOPEC Corporation. His responsibilities included managing the day-by-day affairs of NOPEC and the sale and promotion of unregistered and fraudulent securities of NOPEC. He, along with others, was purportedly the inventor of a new process for the production of bio-diesel fuel which was owned by NOPEC.

C. From approximately January 1992 through and including December 1998, within the Middle District of Florida, and elsewhere, the defendant KARL HENRY REHBERG, a/k/a Peggy Helms; a/k/a Shawn Pierce; conspired with other individuals to execute and attempt to execute a scheme and artifice to defraud, and to obtain money from investor-victims by false and fraudulent pretenses, representations, and promises. The misrepresentations made to the potential investor-victims and investor-victims,

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included, but is not limited, to the following: a) that the investors would be purchasing shares in a business which could and did obtain used cooking oil from restaurants, hospitals and other such entities and convert it into bio-diesel fuel at its plant in Lakeland, Florida; b) the defendants had developed a revolutionary new method of producing bio-diesel fuel; and c) that because the raw material (waste cooking oil) for the bio-diesel fuel cost practically nothing, the bio-diesel fuel could be produced at a financially attractive and competitive price. While the communication of these misrepresentations to the investor-victims was accomplished through the U.S. mails, some of the false representations and promises were communicated via the Internet. Moreover, the defendant and others repeated the fraudulent representations at shareholder meetings convened in Lakeland, Florida and Hiawassee, Georgia.

D. The investor-victims invested their funds with NOPEC based upon the defendant KARL HENRY REHBERG's fraudulent representations.

E. The investor-victims invested in NOPEC by purchasing unregistered securities in the form of stock certificates of NOPEC. Many of these victims purchased tens of thousands of dollars of NOPEC stock. In total, the defendants and others sold approximately \$21 million in unregistered securities to over 2500 investor-victims in a variety of states, including Florida, Georgia, South Carolina, Alabama, Maryland and Delaware.

F. The defendant and others did not register the securities with the SEC or any state entity so as to avoid the mandatory disclosure requirements which would have alerted the investors to the fraudulent activities of the defendants. The defendant KARL HENRY REHBERG concealed from investors that he had been censured by the SEC in 1973 for selling unregistered securities.

G. The defendant and others systematically raised the price of NOPEC stock shares from \$1 to \$5 per share between 1992 and 1997 without any reasonable business basis for the stock increase, except to lure new investors and mollify existing investors into the false belief that the value of NOPEC stock was rising. Indeed, the defendant and others concealed and hid from investors and potential investors the true economic condition of NOPEC, which would have revealed that from its inception, REHBERG and others did not manage the investor funds property and thus relied on the constant influx of investor funds to allow NOPEC to meet its monthly operating expenses.

H. In addition, the defendant issued to himself and to close affiliates 19.5 million shares of NOPEC's stock in order to maintain a controlling interest in NOPEC. The defendant and others converted investor funds placed with them to purchase shares in NOPEC into bank accounts which they controlled and then converted substantial amounts of investor funds for their personal uses. The defendant KARL HENRY REHBERG utilized offshore bank accounts in the Bahamas to conceal investor funds in accounts held in the name of trusts related to NOPEC.

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I. During the course of the conspiracy, the defendant and others carried out the following overt acts:

(a) In or about late 1992 defendant KARL HENRY REHBERG leased office space and facilities for a plant at 1248 George Jenkins Boulevard, Lakeland, Florida, 33801.

(b) On or about May 27, 1993, the defendant caused a "Dear Shareholder" Letter to be issued from NOPEC to investor-victims and mailed through the U.S. mails which contained misrepresentations about the NOPEC process for converting waste cooking oil into bio-diesel fuel at the Lakeland plant and the financial condition of the company.

(c) On or about September 2, 1993, the defendant and others caused a letter to be mailed from NOPEC to Mr. And Mrs. James Young in Plant City, Florida regarding their purchase of founding shares in NOPEC and included a stock certificate for 1000 shares of NOPEC stock.

(d) On or about November 21, 1994, the defendant and others caused a NOPEC stock certificate for 1,000 shares of unregistered NOPEC common stock to be mailed from NOPEC, 1248 George Jenkins Boulevard, Lakeland, Florida 33801 to George and Judith Asche in Lakeland, Florida. This certificate was signed by "Helen D.S. Rehberg" as Secretary of NOPEC and "Karl H. Rehberg" as President of NOPEC.

(e) On or about December 1, 1995, the defendant and others caused a NOPEC stock certificate for \$2,000 shares of unregistered NOPEC stock to be mailed from NOPEC, 1248 George Jenkins Boulevard, Lakeland, Florida, 33801 to Mr. and Mrs. James Young in Plant City, Florida.

(f) On or about October 26, 1997, the defendant appeared at a NOPEC shareholders' meeting at the Lakeland Civic Center, in Lakeland Florida and made ~~numerous~~ fraudulent representations to shareholders relating to the production of bio-diesel fuel at the NOPEC plant. In particular, the defendant KARL HENRY REHBERG stated that NOPEC intentionally sold unregistered securities to investors and fraudulently stated that this was for the benefit of the investors. OK

J. In or about December 1998, the defendant, knowing that he was under investigation by the Federal Bureau of Investigation, fled the State of Florida and assumed several false identities as he moved throughout the Southwestern United States. He eventually settled in Mesa, Arizona and used the name "Shawn Pierce" to lease a house, obtain utilities for the house, open bank accounts and gain employment.

K. After the defendant was arrested on the federal arrest warrant in Mesa, Arizona on August 22, 2007, he wrote to a relative and asked her to withdraw funds in a bank account under his name "Shawn Pierce." He instructed the relative how to forge his false signature on checks for the account. He also instructed her to remove certain items from his house, including financial records, computers, cell phones and some personal items.

10. Entire Agreement

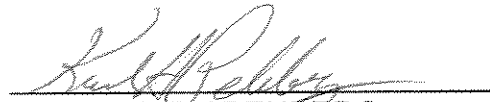
This plea agreement constitutes the entire agreement between the government and the defendant with respect to the aforementioned guilty plea and no other promises, agreements, or representations exist or have been made to the defendant or defendant's attorney with regard to such guilty plea.

11. Certification


The defendant and defendant's counsel certify that this plea agreement has been read in its entirety by (or has been read to) the defendant and that defendant fully understands its terms.


DATED this 18 day of January, 2008.

ROBERT E. O'NEILL
United States Attorney


KARL HENRY REHBERG
Defendant

By: 
CHERIE L. KRIGSMAN
Assistant United States Attorney


ADAM ALLEN
Assistant Federal Public Defender
Attorney for Defendant


ROBERT T. MONK
Assistant United States Attorney
Deputy Chief, General Crimes Section